

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANTOLIN ANDREW MARKS,

Plaintiff,

v.

DEENA GEPHARDT *et al.*,

Defendants.

Case No. C07-5259RJB

ORDER

This Bivens action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4.

Mr. Marks now litigates under a sanction as a result of improper filings. As part of that sanction documents filed by Mr. Marks are submitted under seal for court review. Mr. Marks has filed two documents since entry of the sanction order (Dkt. # 18 and 23). Dkt. # 18 is a “notice” regarding issues unrelated to this case. **Dkt. # 18 is now UNSEALED.** The court will take no further action on this document and plaintiff is cautioned the court does not conduct business by “notice.”

Dkt. # 23 is a motion for default. **Dkt. # 23 is now UNSEALED.** This is a dispositive motion that should be addressed in a Report and Recommendation. The clerk’s office is directed to send copies of this order to plaintiff and counsel for defendants.

DATED this 15 day of November, 2007.

/S/ J. Kelley Arnold  
J. Kelley Arnold  
United States Magistrate